

REMARKS

In the Office Action, claims 4 and 7 were indicated as having allowable subject matter and being allowable if rewritten in independent form. The remaining 10 claims were rejected as anticipated by or unpatentable over US 6,422,533 Harms.

Reconsideration is requested on the ground that Harms fails to disclose either the structure or the function of the invention as recited in any of the original claims of the application. In addition, new claims 13-20 have been added to further define the claimed structure.

It is noted that Harms pertains to a solenoid actuated valve and contains no specific teachings pertaining to its use as a magnetic force generator as set forth in the claims of the present invention. Thus, it is submitted that, at least in function, Harms represents non-analogous art having no pertinence to the subject matter of the present invention.

As to structure, Harms discloses a solenoid having an armature 24 made up of two axially spaced magnets 44, 46 connected by a non-magnetic spacer 48. The magnets "have their poles axially oriented" and thus do not have "radially extending flux lines passing through the coils" as recited in claim 1 (see Harms col. 2, lines 51-58 and FIG. 2). Instead, the Harms magnets magnetic flux lines extend conventionally in the axial direction between the N and S poles.

Further, Harms' armature 24 reciprocates within a fixed tubular non-magnetic sleeve 75 (not part of the armature nor defining a flux path) but does not disclose an "armature including at least two axially spaced permanent magnets mounted on an axially extending steel magnetic tube" as claim 1 recites (see Harms col. 3, lines 44-49 and FIG. 2 compared to FIG. 3 of the present application).

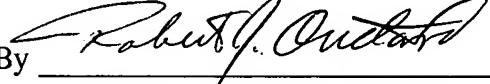
As to claim 10, it is again pointed out that the magnets of Harms are not "radially magnetized" nor are they magnetized in opposite directions, as is shown by the placement of the N and S poles in FIG. 3.

The foregoing is considered to conclusively indicate the inadequacy of Harms as a basis for the rejection of applicant's claim 1 and dependent claims 2-12. Accordingly, withdrawal of the rejection of all rejected claims is requested.

New claims 13-20 have been added to further define the invention. Independent claim 13 recites that the magnets are radially magnetized and includes other recitations further distinguishing the new claims from Harms.

This amendment is believed to be fully responsive to the issues raised in the Office Action and to place this case in condition for allowance. Favorable action is requested.

Respectfully submitted,

By 

Robert J. Outland, Attorney
Reg. No. 22,197
(313) 885-1500